THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.27689 of 2005

Dated: 28-12-2005

Between:

Dongari.Laxmi.

.. PETITIONER

AND

The A.P.Genco, represented by its

Chief Engineer, O&M Circle,

Mothugudem, Khammam District and others.

.. RESPONDENTS

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ORDER:

The petitioner states that her husband was employed in the first respondent organization and retired from service on 30-06-1988. It is stated that the husband of the petitioner died on 28-12-2004. She pleads that she made a representation dated 27-04-2005 for payment of family pension and complaints that no action has been taken thereon.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent.

From the facts stated by the petitioner in the affidavit filed in support of the writ petition, it is not clear as to whether her husband was paid any pension after retirement from service and if so, the time at which it was stopped. The payment of

family pension is governed by the relevant pension rules and it would depend upon the question as to whether the petitioner fulfilled the conditions for payment of family pension. The right of the petitioner to receive the same as a legal heir is another matter. It is, however, an issue which needs to be taken into account by the respondents while considering the representation of the petitioner. The matter cannot be kept pending indefinitely.

For the foregoing reasons, the writ petition is disposed of, directing the respondents to pass appropriate orders, on the representation dated 27-04-2005 made by the petitioner, within a period of three months from the date of receipt of a copy of this order.

In case, the claim of the petitioner is not accepted, they shall state reasons thereof.

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28-12-2005

Prv